

DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the) NOTICE OF AMENDMENT
amendment and transfer of) AND TRANSFER, ADOPTION,
ARM 8.77.101, 8.77.102,) REPEAL, AND TRANSFER
8.77.103, 8.77.105, 8.77.107,)
8.77.108, 8.77.109, 8.77.201,)
8.77.203, 8.77.301 and)
8.77.302, the adoption of)
NEW RULES I through VII,)
the repeal of ARM 8.77.104 and)
the transfer of ARM 8.77.106,)
8.77.303 and 8.77.304, all)
pertaining to weights and)
measures)

TO: All Concerned Persons

1. On December 16, 2004, the Department of Labor and Industry published MAR Notice No. 24-351-189 regarding the public hearing on the proposed amendment and transfer, adoption, repeal, and transfer of the above-stated rules relating to weights and measures, at page 2997 of the 2004 Montana Administrative Register, issue no. 24.

2. On January 19, 2005, at 9:00 a.m., a public hearing was conducted in Helena, Montana. No members of the public were present at the public hearing. In addition, no written comments were received prior to the closing of the comment period.

3. The following rules are amended and transferred exactly as proposed:

<u>OLD</u>	<u>NEW</u>	
8.77.101	24.351.227	Scale Pit Clearance
8.77.102	24.351.211	Fees For Testing And Certification
8.77.103	24.351.201	NIST Handbook 44 - Specifications, Tolerances And Other Technical Requirements For Weighing And Measuring Devices
8.77.105	24.351.221	Weighing Device License Transfer
8.77.107	24.351.215	License Fee Schedule For Weighing And Measuring Devices
8.77.108	24.351.101	Definitions
8.77.109	24.351.204	Uniform Regulation For National Type Evaluation
8.77.201	24.351.301	NIST Handbook 130 - Uniform Laws And Regulations
8.77.203	24.351.311	Random Inspection Of Packages
8.77.301	24.351.411	Sampling Of Petroleum Products

8.77.302 24.351.401 NIST Handbook 130 - Uniform Laws
And Regulations

4. The following rules are adopted exactly as proposed:

NEW RULE I (24.351.321) NIST HANDBOOK 133 - CHECKING THE
NET CONTENTS OF PACKAGED GOODS

NEW RULE II (24.351.1101) VOLUNTARY REGISTRATION PROGRAM
FOR SERVICEPERSONS AND SERVICE AGENCIES

NEW RULE III (24.351.1104) INDIVIDUAL APPLICANTS FOR
REGISTRATION

NEW RULE IV (24.351.1107) AGENCY APPLICANTS FOR
REGISTRATION

NEW RULE V (24.351.1111) PRIVILEGES AND OBLIGATIONS OF A
CERTIFICATE HOLDER

NEW RULE VI (24.351.1115) RENEWAL OF CERTIFICATE OF
REGISTRATION

NEW RULE VII (24.351.1117) REGISTRATION BY RECIPROCITY

5. The Department has repealed ARM 8.77.104 as proposed.

6. The following rules are transferred exactly as
proposed:

<u>OLD</u>	<u>NEW</u>	
8.77.106	24.351.224	Accessibility To Stock Scales
8.77.303	24.351.421	Charges For Liquefied Petroleum Gas
8.77.304	24.351.425	Receipt To Be Left At Time Of Delivery

/s/ MARK CADWALLADER
Mark Cadwallader
Alternate Rule Reviewer

/s/ KEITH KELLY
Keith Kelly, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State March 21, 2005.